



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029**

**VIA CERTIFIED MAIL**

Dr. Khurram Rashid  
ZQRIC LLC  
Mountain View Motel  
16433 Old Waterford Road  
Paeonian Springs, VA 20129

RE: CWA Section 308 Information Requirement

Dear Dr. Rashid:

The United States Environmental Protection Agency ("EPA") hereby requires that Mountain View Motel provide certain information regarding the Mountain View Motel wastewater treatment facility located at 6851 Northwestern Pike, Gore, Virginia 22637 ("Facility"). EPA requires this information as a part of its investigation of Mountain View Motel's compliance with the Clean Water Act ("CWA"), 33 U.S.C. § 1251, and the regulations promulgated thereunder.

Compliance with this Information Requirement is mandatory. Failure to respond fully and truthfully to the Information Requirement in accordance with deadlines set forth in the Information Requirement, or to adequately justify such failure to respond, can result in enforcement action by EPA pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. Please note that the provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001.

Mountain View Motel is entitled to assert a business confidentiality claim, covering all or part of the information which this letter requires. Any such claim should be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). In the event that Mountain View Motel asserts a claim of business confidentiality with respect to any document, Mountain View Motel should provide EPA with a redacted version of the document which does not contain any claimed business confidential information and which can be distributed to the public if requested. EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth at 40 C.F.R. Part 2, Subpart B. Unless a confidentiality claim is asserted at the time the required information is provided, EPA may make this information available to the public without further notice to Mountain View Motel.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

If you have any factual questions concerning this information request, please contact Ms. Erin Trouba at [Trouba.Erin@epa.gov](mailto:Trouba.Erin@epa.gov) or (215) 814-2023.

Sincerely,

Richard A. Rogers, Chief  
Water Branch  
Enforcement and Compliance Assurance Division

Enclosure

cc: Troy Nipper (VADEQ), [troy.nipper@deq.virginia.gov](mailto:troy.nipper@deq.virginia.gov)  
Brandon Kiracofe (VADEQ), [brandon.kiracofe@deq.virginia.gov](mailto:brandon.kiracofe@deq.virginia.gov)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

In the Matter of:	:	
	:	
	:	Proceeding under Section 308 of the
	:	Clean Water Act, 33 U.S.C. § 1318
Mountain View Motel	:	
6851 Northwestern Pike	:	
Gore, VA 22637	:	
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	:	
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	:	
Respondent	:	<b>INFORMATION REQUIREMENT</b>
	:	
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**I. STATUTORY AUTHORITY**

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency (EPA) by Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Enforcement and Compliance Assurance Division of EPA Region III, who in turn has delegated it to the Chief of the Water Branch. EPA hereby requires Mountain View Motel (“Respondent”) to provide the information specified below.

**II. STATUTORY AND REGULATORY BACKGROUND**

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the CWA, including but not limited to:
  - a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;
  - b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;

- c. any requirement under Section 308 of the CWA; and
  - d. carrying out Sections 305, 311, 402, 404, and 504 of the CWA.
3. Failure to respond as directed to a CWA Section 308 Information Requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.
  4. You may assert a business confidentiality claim covering all or part of the information submitted in response to this Requirement in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by a business confidentiality claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information submitted when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information.
  5. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. (See 5 C.F.R. Section 1320.3(c)).
  6. This Information Requirement does not preclude EPA from performing inspections.

### **III. INSTRUCTIONS**

7. Provide a separate narrative response for each question set forth below and for each subpart of each question.
8. Identify each answer with the corresponding number of the question and subpart to which it responds.
9. State the name, address, email address, telephone number, and occupation of each person providing responses, or contributing information to responses, to each request for information below.
10. Provide all documents in your possession which relate to the responses given. With respect to each document, identify the date, author, addressee, current location, and custodian and identify the question or subpart to which it relates.
11. Answer each question to the extent possible. If any question cannot be answered in full, explain why to the extent possible. If your responses are qualified in any manner, please explain.
12. If information or documents unknown or unavailable to you as of the date of your response to this request become known or available to you after submitting your response to the request, you must supplement your response to EPA. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide a

corrected response.

13. Each submission pursuant to this request must be accompanied by the following certification and must be signed by a representative of Mountain View Motel authorized to respond on behalf of that entity.

*“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based upon my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for known violations.”*

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

14. All information shall be submitted **within thirty (30) days** of receipt of this Information Requirement electronically to:

Erin Trouba  
Enforcement and Compliance Assurance Division  
United States Environmental Protection Agency, Region III  
[Trouba.Erin@epa.gov](mailto:Trouba.Erin@epa.gov)

If you are unable to send requested documentation electronically, please contact Erin Trouba via phone or email to discuss alternate delivery methods. In both your message and written response, please indicate the specific information requested by EPA that you are unable to provide electronically.

15. If you have questions regarding this Information Requirement, you may contact Ms. Erin Trouba of the Enforcement and Compliance Assurance Division at [Trouba.Erin@epa.gov](mailto:Trouba.Erin@epa.gov) or (215) 814-2023.

## **V. INFORMATION REQUIREMENT**

The Respondent is hereby required, pursuant to Section 308 of the CWA, 33 U.S.C § 1318, to submit the following information to EPA **within thirty (30) calendar days** of receipt of this Information Requirement:

16. Provide a narrative description of the Mountain View Motel wastewater treatment facility located at 6851 Northwestern Pike, Gore, Virginia 22637 (“Facility”), including the operational processes and water pollution control equipment. Include in your response a site map that includes all outfall locations.

17. Listed below is a table with effluent exceedances identified in EPA's data systems for the period August 1, 2016 through March 31, 2021 and based on discharge monitoring reports (DMR) submitted by Mountain View Motel. Please identify any additional effluent exceedance for the period of August 1, 2016 through March 31, 2021 not identified on the spreadsheet and provide a certification as to the accuracy of the spreadsheet and any additions pursuant to Paragraph 13.

Parameter Description	Limit Value (mg/L)	DMR Value (mg/L)	Monitoring Period End Date	Violation Group Description
BOD, 5-day, 20 deg. C	30	52	08/31/2020	Effluent Violation
BOD, 5-day, 20 deg. C	30	53	08/31/2019	Effluent Violation
Solids, total suspended	30	30.7	08/31/2019	Effluent Violation
BOD, 5-day, 20 deg. C	30	40	08/31/2018	Effluent Violation

18. For each exceedance identified in Paragraph 17, provide a detailed narrative description of the cause of the exceedance and any measure you have taken or intend to take to correct the exceedance or prevent future exceedances. Include completed or scheduled dates for each identified measure. If applicable, include detailed non-compliance notifications submitted to Virginia Department of Environmental Quality (VADEQ).
19. Provide copies of any documents identified in or in support of your responses to questions 16-18, including copies of DMRs for exceedances identified in paragraph 17.
20. Provide any additional information related to violations that impact the current compliance status at the facility, other than those exceedances identified in paragraph 17.
21. Identify the current contracted maintenance operator as required in Permit provision Part I.D.2.b. for the wastewater treatment plant system, and identify any previous contractors for the since August 2, 2016, including start and end dates of those contracts.
22. Provide a copy of the current and all previous maintenance contracts in force since August 2, 2016.
23. Provide all logs of maintenance, inspection, and testing for Facility since August 2, 2016 including the requirements in Permit Provision Part I.D.2.b.4.
24. Provide any VPDES permit application(s) submitted by this facility since May 1, 2020.
25. Describe the sampling location and explain the process for collecting monitoring samples for the permit.
26. Provide any Notification of Termination to close the VPDES permit that was submitted to VADEQ since August 2, 2016.

**VI. EFFECTIVE DATE**

This INFORMATION REQUIREMENT is effective upon receipt.

Date: \_\_\_\_\_

\_\_\_\_\_  
Richard A. Rogers, Chief  
Water Branch  
Enforcement and Compliance Assurance Division